

REMARKS

I. Formalities

Applicants thank the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of the certified copy of the priority document submitted February 11, 2002.

Applicants thank the Examiner for indicating that the Formal Drawings filed December 21, 2001 are accepted.

II. Status of Application

By the present Amendment, claims 1-15 have been amended and claims 20-42 are hereby added to more fully cover various implementations of the invention. Claims 1-42 are all the claims pending in the application, with claims 1, 11-12, and 28 being in independent form.

III. Claim Rejections Under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1-3, 5-7, 10, 11-12 and 14-19 under 35 U.S.C. § 102(e) as being anticipated by US PUB 2003/0126195 A1 to Reynolds *et al.* ("Reynolds"). This rejection is respectfully traversed.

According to the MPEP, “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP § 2131 (*quoting Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). Applicants respectfully submit that claims 1-3, 5-7, 10, 11-12 and 14-19 positively recite limitations which are not disclosed (or suggested) by Reynolds.

Reynolds discloses a common command interface which allows network device applications to maintain one set of code for each command regardless of which command interface (e.g. command line interface or web interface, etc.) initiates the command. See page 1, paragraph 0005. Specifically, Reynolds discloses a method of managing a telecommunications network device which includes first registering at least one command executable by an application with a command interface, receiving the command at the command interface from a user interface, forwarding the command to the application and, finally, completing execution of the command. See page 2, paragraph 0006.

With respect to claim 1, the Examiner alleges that the hardware inventory and set-up routine, disclosed on page 36, paragraph 0363 and in Figure 12a of Reynolds, corresponds to the step of “sending at least one item of master-slave status information about the at least one of the first clock signal and the second clock signal to the at least one receiver module” as recited in Applicants’ claim 1. Applicants respectfully disagree with the Examiner, and submit that

Reynolds fails to disclose or suggest sending master-slave status information about at least one of the first clock signal and the second clock signal, as recited in claim 1.

In contrast to the requirements of Applicants' claim 1, Reynolds discloses that, as an initial step in its hardware inventory and set-up procedure, its Master Control Driver ("MCD") slave 39a reads a card type and version number out of local persistent storage and passes this information to MCD Master 38. See page 36, paragraph 0363. That is, Reynolds discloses nothing more than sending hardware identification information from its MCD slave 39a to its MCD Master 38 (specifically, "a card type and a version number"). See page 36, paragraph 0363. Accordingly, Reynolds does not disclose sending status information regarding whether a given clock signal has been designated as a master or a slave.

Furthermore, Reynolds discloses that this hardware identification information passed from MCD slave 39a to MCD Master 38 is about central processor card 12, and not about at least one of the first clock signal and the second clock signal, as recited in claim 1. See page 36, paragraph 0363. In particular, Reynolds discloses that, when computer system 10 is first powered up, a mission kernel image executable file MKI 50 for central processor card 12 is bootstrap loaded from persistent storage. See page 36, paragraph 0363. Further, Reynolds discloses that MKI 50 starts MCD slave 39a and, then, MCD slave 39a reads "a card type and version number" out of local persistent storage and sends this information to MCD Master 38. See page 36, paragraph 0363. Clearly, the "card type and version number" disclosed in Reynolds is hardware identification information about central processor card 12. See page 36,

paragraph 0363. In fact, this “card type and version number” disclosed in Reynolds cannot be information “about at least one of the first clock signal and the second clock signal,” as recited in claim 1, because clock signals would not have card types or version numbers. As a result, Reynolds does not disclose, and is incapable of suggesting, sending master-slave status information about at least one of the first clock signal and the second clock signal, as recited in claim 1.

In addition, the Examiner alleges that the physical inventory of computer system 10 taken by MCD Master 38, disclosed on page 36, paragraph 0364 of Reynolds, corresponds to the step of “selecting, as a function of the item of master-slave status information, at the at least one receiver module, the first clock signal or the second clock signal as a master synchronization signal for the synchronization of an output signal of the at least one receiver module with the at least one external clock signal,” as recited in Applicants’ claim 1. Applicants respectfully disagree with the Examiner, and submit that Reynolds fails to disclose selecting, as a function of the master-slave status information, the first or second clock signal as a master synchronization signal.

In contrast to the limitations positively recited in Applicants’ claim 1, Reynolds discloses that its MCD Master 38 takes a physical inventory of computer system 10 and assigns a unique physical identification number (“PID”) to each item. See page 36, paragraph 0364. As explained above, Reynolds does not disclose sending master-slave status information. To the contrary, Reynolds discloses sending hardware identification information (“a card type and

version number”) from MCD slave 39a to MCD Master 38. However, even if the information sent from MCD slave 39a to MCD Master 38, as disclosed in Reynolds, were master-slave status information, which Applicants firmly submit that it is not, Reynolds nevertheless fails to disclose that its MCD Master 38 selects, as a function of the card type and version number it receives, a first or a second clock signal.

In fact, Reynolds discloses that the PID is a logical number unrelated to any physical aspect of the component being numbered. See page 36, paragraph 0365. Accordingly, the PID disclosed in Reynolds cannot possibly be selected as a function of the master-slave status information because the master-slave status information is related to the physical aspects of the first clock signal or the second clock signal. For example, as disclosed in the Specification of the present application, the master-slave status is related to the clock signal operating with a higher degree of precision. See Specification at page 3, lines 30-34. Further, Reynolds does not disclose selecting any clock signal whatsoever. Indeed, Reynolds discloses nothing more than assigning a unique PID to each item of computer system 10. See page 36, paragraph 0365.

With respect to claim 11, the Examiner alleges that the programmable layer one test ports, disclosed on page 85, paragraph 0814 of Reynolds, correspond to the “selection means for selecting the first clock signal or the second clock signal as a master synchronization signal for synchronization of an output signal of the receiver module with an external clock signal,” as recited in claim 11. Applicants respectfully disagree with the Examiner, and submit that

Reynolds does not disclose a selection means for selecting a first or second clock signal as a master synchronization signal.

In contrast to the requirements of Applicants' claim 11, Reynolds discloses that it is the network administrator, rather than any feature of the invention disclosed in Reynolds, who manually selects a first signal or a second signal. Specifically, Reynolds discloses that, instead of passively monitoring the data received at port 571a, the network administrator may connect test equipment 840 to the receiver of test port 571c. See page 85, paragraph 0814 and Figure 56. Then, the network administrator may manually notify the Network Management System ("NMS") to enable the receiver on port 571c to receive path 1666. See page 85, paragraph 0814 and Figure 56. Hence, Reynolds discloses that it is the network administrator who manually notifies the NMS, as to which port or ports should be enabled and whether the transmitter and/or receiver for each port should be enabled. See page 84, paragraph 0808. Accordingly, it is the network administrator (and not any feature of the invention disclosed in Reynolds) who manually selects a first signal or a second signal. Thus, Reynolds does not disclose, and is incapable of suggesting, any selection means for selecting a first or a second clock signal as a master synchronization signal, as set forth in claim 11.

Similarly, the Examiner alleges the programmable layer one test ports, disclosed on page 85, paragraph 0814 of Reynolds, correspond to the selection means "wherein the selection means is designed such that, as a function of the item of master-slave status information, the receiver module can select the first clock signal or the second clock signal as a master synchronization

signal,” as recited in claim 11. However, as explained above, Reynolds discloses that it is the network administrator who manually selects a first signal or a second signal, and not any feature of the invention disclosed or suggested in Reynolds. As a result, Reynolds does not disclose a selection means wherein the receiver module can select the at least one first clock signal or the second clock signal.

With respect to claim 12, the Examiner alleges that the Virtual Connection configuration procedure, disclosed on page 18, paragraph 0211 of Reynolds, corresponds to the “selection means wherein the at least one receiver module selects, as a function of the master-slave status information, the first clock signal or a second clock signal as a master synchronization signal for the synchronization of an output signal of the receiver module with the external clock signal,” as recited in claim 12. Applicants respectfully disagree with the Examiner, and submit that Reynolds does not disclose a selection means wherein the receiver module selects a clock signal as a master synchronization signal, as set forth in claim 12.

In contrast, Reynolds discloses that the network administrator may select a “Transmit and a Receive Traffic Descriptor,” which indicates the priority of the traffic to be sent over a Virtual Channel Connection, thereby allowing parameterization of quality of service. See page 18, paragraph 0211. However, Reynolds shows nothing more than traffic descriptors which distinguish high priority traffic from low priority traffic, and which differentiate classes of quality of service. Consequently, Reynolds does not disclose a selection means wherein the

receiver module selects a clock signal as a master synchronization signal for the synchronization of an output signal of the receiver module with the external clock signal, as recited in claim 12.

Thus, Applicants respectfully submit that independent claims 1, 11, and 12 are not anticipated by (i.e., are not readable on) Reynolds for at least these reasons. Further, Applicants respectfully submit that the dependent claims 2-3, 5-7, 10, and 14-19 are allowable over Reynolds at least by virtue of their dependency on claims 1, 11, and 12, respectively.

Accordingly, Applicants respectfully request that the Examiner withdraw these rejections.

IV. Claim Objections

The Examiner has objected to claims 1-4, 8-9, and 11-13 for various informalities and for being narrative and indefinite. By the present Amendment, the specification and claims 1-4, 8-9, and 11-13 have been amended to correct any spelling and grammatical errors, and to conform with current U.S. practice. Further, claims 1-4, 8-9, and 11-13 have been reformatted to more clearly show the individual steps and components of Applicants' invention.


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/024,025

Attorney Docket No.: Q67574

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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CUSTOMER NUMBER

Date: November 20, 2003